

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 5:</b> General Case Management	<b>Effective Date:</b> July 1, 2018
	<b>Section 5:</b> Genetic Testing for Alleged Fathers	<b>Version:</b> 4

## STATEMENTS OF PURPOSE

The Indiana Department of Child Services (DCS) will facilitate genetic testing to establish paternity in cases where there is an alleged father and paternity has yet to be established. DCS will contract with a designated vendor for processing genetic tests.

**Note:** Genetic testing should not be done on cases where paternity has already been established. See policy [2.20 Child Support Establishment](#) for additional information.

DCS will request that the child's mother provide the first and last name of each alleged father during the detention/initial hearing. DCS will ask the mother and each alleged father to voluntarily submit to genetic testing. For those who refuse, DCS will obtain a court order stating that the mother, alleged father and the child are required to submit to genetic testing.

DCS will offer services to an alleged father while he is awaiting the establishment of paternity.

DCS may recommend placement of a child with an alleged father or the family member of an alleged father before paternity has been established.

### Code References

1. [IC 31-34-15-6: Filing of paternity action by local prosecuting attorney's office](#)
2. [IC 31-14-7-1 \(1\)\(2\) Presumptions; child's biological father](#)
3. [IC 16-37-2-2\(1\) Birth Certificate and paternity affidavit; person responsible for filing or preparation; release of paternity affidavit](#)

## PROCEDURE

The Family Case Manager (FCM) will conduct a search using the Indiana Support Enforcement Tracking System ([ISETS](#)) web tool to determine the status of paternity.

The FCM will:

1. Click [ISETS](#) Data on the DCS Intranet page;
2. Log-in using the following;
  - a. His/her DCS Username, and
  - b. Generic password- 'DCSgen01'.

**Note:** The system will prompt each user to set up a new personal password.

3. Enter the child's identifying information on the Search Data screen and click 'Search';
4. Select the appropriate child under 'Results' to expand the results;

5. Review the paternity status and funding information to determine if:
  - a. Paternity has been established,
  - b. Paternity has not been established and IV-D funding is available, or
  - c. Paternity has not been established and IV-D funding is not available.
6. Request the DCS Staff Attorney to review paternity status in Panoptic if paternity has not been established.

If paternity has been established, the FCM will select 'print screen' and submit a copy of the results to the DCS Staff Attorney. This will allow the DCS Staff Attorney to pursue the appropriate next steps. See policy [2.20 Child Support Establishment](#) for additional information.

If paternity has not been established or no paternity results are listed, the FCM will:

1. Complete the [Authorization/Request for Genetic Testing Services \(SF 54716\)](#) form by:
  - a. Selecting the case management system case type, and enter the applicable case number when paternity is not established and there is no IV-D funding available; or paternity information is not listed, or
  - b. Selecting [ISETS](#) case type and enter the applicable [ISETS](#) case number for cases when paternity has not been established and IV-D funding is available, and
  - c. Sign the [Authorization/Request for Genetic Testing Services \(SF 54716\)](#) form.
2. Utilizing the [Specimen Collection Instructions](#) to complete the [Client Identification and Consent Form/Chain of Custody](#).
  - a. Request to see photo identification for everyone being tested,
  - b. Review the form to be sure it is properly and fully completed,
  - c. Have the mother, alleged father and legal custodian of minor child sign the form,

**Note:** If an adult other than the mother or legal guardian signs the consent a written statement indicating that person's relationship to the child is required. If the FCM has to sign the consent form, he or she must write a statement on DCS letterhead indicating the child is a ward of DCS.

- d. Take thumbprint of each person being tested, and
  - e. Complete the collector's statement on the back of the form.
3. Ask individuals being tested to take a group picture;

**Note:** If anyone refuses to be included in the group picture, the FCM will take a picture of the mother and the child together and a separate picture of each alleged father. All pictures will be submitted to the designated vendor with the genetic testing kit.

4. Collect and label specimens. See [Specimen Collection Instructions](#) contained within each kit.

**Note:** Use Standard Precautions at all times while collecting, handling, and transporting samples. See [Related Information](#) for definition of Standard Precautions.

5. Re-package the test kit, including the required forms and photo, and mail all items to the designated vendor. See [Specimen Collection Instructions](#) contained within each kit;

**Note:** Return the original copy of the [Authorization/Request for Genetic Testing Services \(SF 54716\)](#) form to the genetic testing provider with the genetic test kit.

6. Place a copy of the [Authorization/Request for Genetic Testing Services \(SF 54716\)](#) form in the child's case file; and
7. Complete the following tasks once the results have been received:
  - d. File a copy with the court within five (5) business days,
  - e. Submit a copy to the DCS Staff Attorney, and
  - f. Place a copy in the child's case file.

If the paternity test results are positive, DCS will:

1. Inform all parties of the test results;
2. Ensure the father is participating in services or referred to services; and
3. Include the father in the case planning process.

If the paternity test results are negative for an alleged father, DCS will:

1. Inform all parties of the test results;
2. Consider continuing services if the individual chooses to remain involved in the child's life as an informal support. See [Related Information](#) for further details;
3. Notify the court of the test results and whether or not the individual chooses to remain involved in the case; and
4. Allow the individual to participate in case planning if he chooses to be involved and has the consent of the child's mother.

The DCS Staff Attorney will search the Panoptic database for a paternity affidavit. See [Related Information](#) and:

1. Submit a copy of the genetic test results to the IV-D Prosecutor, if it is a IV-D case; or
2. Seek adjudication of paternity through the CHINS.

## **PRACTICE GUIDANCE**

### **Long arm draw**

A long arm draw is a process used for a parent that lives outside of Indiana and is unable to come in to the DCS local office to submit to genetic testing. In those situations, the FCM will make arrangements for that person to submit to genetic testing at the designated vendor testing site in the area where he/she lives.

### **Re-ordering test kits**

Each region will assign one (1) or two (2) staff members to track inventory and to place orders for additional test kits as needed.

## **FORMS AND TOOLS**

1. [Authorization/Request for Genetic Testing Services \(SF 54716\)](#)
2. [Specimen Collection Training Video](#)
3. [State of Indiana-DCS Offices List of Specimen Collector Points to Remember](#)
4. Client Information Form/Chain of Custody- Available via genetic test kit

5. Statement of Consent and Release- Available via genetic test kit
6. Specimen Collection Instructions-Available via genetic test kit
7. [ISETS Child Support Case Inquiry Web Tool](#)
8. Panoptic Web Tool-Available to DCS legal staff

## RELATED INFORMATION

### **Temporary Assistance for Needy Families (TANF)**

If the child is placed with a specified relative and this specified relative opts to receive TANF benefits for the child instead of the foster care per diem, the child support is redirected. Federal law requires that as a condition of eligibility for TANF benefits, applicants are required to assign their rights to child support to the State of Indiana and to participate in the Title IV-D Child Support Program. This Federal law supersedes the Indiana law. The TANF child's support will automatically be assigned through the Indiana Client Eligibility System (ICES) upon application for TANF and any support paid on behalf of this child will go toward the repayment of TANF benefits received by the child.

### **Determining if Establishing Paternity is in the Child's Best Interests**

The following circumstances are examples of when it may be contrary to the child's best interest to establish paternity, including but not limited to:

1. Adoption proceedings are pending in court;
2. The child was conceived as a result of incest or rape.

### **Alleged/Putative Father**

An alleged (putative) father is a male who has asserted to be the father of a child, or who claims to be the father of a child but has not been adjudicated the father through a paternity action filed in court having jurisdiction, has not signed a paternity affidavit and is not presumed to be a child's father under [IC 31-14-7 \(1\)](#) or [IC 31-14-7-1\(2\)](#).

### **Noncustodial Parent**

A mother, father, or alleged father (biological or adoptive) who does not have legal or primary physical custody of the child.

### **Universal Precautions**

Universal precautions are designed to reduce the risk of transmission of microorganisms from both recognized and unrecognized sources of infection in hospitals. Universal precautions apply to:

1. Blood;
2. All body fluids, secretions, and excretions, *except sweat*, regardless of whether or not they contain visible blood;
3. Non-intact skin; and
4. Mucous membranes.

**Note:** Universal precautions includes the use of: hand washing, appropriate personal protective equipment such as gloves, gowns, masks, whenever touching or exposure to client's body fluids is anticipated.

### **Panoptic**

Panoptic is a search tool used by the Indiana State Department of Health to access Paternity Affidavits. This tool is now available to DCS legal staff to quickly and easily access and print this information.